

McGREGOR W. SCOTT
United States Attorney
KENNETH J. MELIKIAN
Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, Ca. 95814
Telephone: (916) 554-2700

OK/HAV

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CR. NO. S-05-167 DFL
)	
Plaintiff,)	
)	STIPULATION; ORDER
)	
JOSEPH McELROY,)	
)	
Defendant.)	
_____)	

Defendant Joseph McElroy, through Federal Defender Daniel J. Broderick, and the United States of America, through Assistant U.S. Attorney Kenneth J. Melikian, agree that the trial confirmation hearing scheduled for January 25, 2007, be vacated. The parties further stipulate that a trial confirmation hearing be placed on the court's February 8, 2007, calendar at 10:00 a.m.

A jury trial in this case is scheduled to start on February 26, 2007, and the parties are not requesting any change in that date.

///

///

///

1 Additionally, the court has already excluded time through
2 February 26, 2007, from computation under the Speedy Trial Act
3 pursuant to local code T4 (18 U.S.C. § 3161(h)(8)(B)(iv)).

4 DATED: January 24, 2007

Very truly yours,

5 McGREGOR W. SCOTT
6 United States Attorney

7
8 By: /s/ Kenneth J. Melikian
9 KENNETH J. MELIKIAN
 Assistant U.S. Attorney

10 DATED: January 24, 2007

/s/ Kenneth J. Melikian
 DANIEL J. BRODERICK
 Attorney for Defendant
 (Signed by Kenneth J. Melikian
 per authorization by Daniel J.
 Broderick)

11
12
13
14
15 IT IS SO ORDERED.

16
17 DATED: 01/25/2007

/s/ David F. Levi
 HONORABLE DAVID F. LEVI
 U.S. District Court Judge